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Class E 359

Book 4

U 48

U S Commissioners to examine and assess damages occasioned by U.S. troops in the neighborhood of New Orleans

Case of Thadeus Mayhew.

JANUARY 6, 1819.

Printed by order of the House of Representatives.

Report of the Commissioners appointed to examine and assess the damages occasioned by the troops of the United States, in the neighborhood of the city of New Orleans.

The Commissioners appointed by the quartermaster general of the Seventh Military District, in obedience to the annexed general order of maj. gen. Jackson, have the honor to

REPORT:

That in pursuance thereto, they repaired to the several places hereinafter designated, in order to ascertain the nature and extent of the damages sustained by the individuals hereafter mentioned, which they found to consist of two distinct classes: one being for damages done to the real estate and improvements, the other for moveable property consumed or destroyed by the army. The first they considered it their duty to estimate, and for that purpose carefully examined the respective premises, requiring of the several claimants a particular description of the buildings that has been totally destroyed, which were compared with such traces of their having existed as could be found, and the whole estimated in equity to the best of their knowledge. The other class of losses, consisting of provisions, furniture, wood, &c. consumed and destroyed by the army, but of which no regular proof could be furnished, the commissioners considered would be more properly presented in the form of attested accounts made out by the parties, accompanied with such evidence as they were in possession of, and which they have subjoined to this report,

On the left bank of the Mississippi between Camp Jackson and the city of New Orleans.

John Roarigues' country seat, on which the line of defence was established, the following buildings entirely destroyed:

| | | | | | |
|--------------------------------------|---|---|---|---|--------|
| A stable and coach house, valued at | - | - | - | - | \$ 200 |
| Four Negro houses | - | - | - | - | 120 |
| A hen and pigeon house | - | - | - | - | 100 |
| A kitchen | - | - | - | - | 350 |
| Damage done his dwelling house | - | - | - | - | 300 |
| ditto to an adjoining building | - | - | - | - | 150 |
| 10½ acres of pale fence | - | - | - | - | 220 |
| 26 do post and rail ditto | - | - | - | - | 317 |
| A double gate and seven garden ditto | - | - | - | - | 100 |

1,857

J. Roarigues claims moreover for furniture, farming utensils, cattle, books, &c. taken away or destroyed, per his account herewith, No. 1, \$5.829.

Widow Macarty's country seat, occupied as the head quarters of gen. Jackson.

| | | | | | |
|-----------------------------------|---|---|---|---|-----|
| Damage done to the dwelling house | - | - | - | - | 800 |
|-----------------------------------|---|---|---|---|-----|

The following buildings entirely destroyed:

| | | | | | |
|------------------------------------|---|---|---|---|-----|
| Two pigeon houses on brick pillars | - | - | - | - | 250 |
| A shed 30 by 18 feet | - | - | - | - | 300 |
| A coach house 14 by 20 | - | - | - | - | 150 |
| Two Negro houses | - | - | - | - | 120 |
| A store house 16 by 25 | - | - | - | - | 300 |
| 38 acres post and rail fence | - | - | - | - | 460 |
| 16 ditto pale ditto | - | - | - | - | 560 |

2,940

| | | | | | |
|--|---|---|---|---|-------|
| Furniture &c. per account No. 2 herewith | - | - | - | - | 1,219 |
|--|---|---|---|---|-------|

Mons. Languelles' country house, occupied as the head quarters of gen. Carroll.

| | | | | | |
|-----------------------------|---|---|---|---|-----|
| Damage done to the dwelling | - | - | - | - | 300 |
| ditto to a store house | - | - | - | - | 25 |

The following property entirely destroyed:

| | | | | | |
|-------------------------------------|---|---|---|---|-----|
| A corn house or store | - | - | - | - | 300 |
| An out house 27 by 25 | - | - | - | - | 300 |
| A kitchen and small house adjoining | - | - | - | - | 150 |
| A bake house | - | - | - | - | 350 |
| A stable | - | - | - | - | 50 |
| 18 acres pale fence | - | - | - | - | 385 |
| 32 do post and rail ditto | - | - | - | - | 390 |

2,250

| | | | | | |
|---|---|---|---|---|---------|
| Cattle, provisions, &c. per account No. 3 | - | - | - | - | \$2,848 |
|---|---|---|---|---|---------|

John Pettit, brickmaker.

The following property entirely destroyed:

| | | | | | |
|---------------------------------|---|---|---|---|-------|
| A dwelling house 20 by 60 | - | - | - | - | 1,800 |
| A brick kiln shed 56 by 100 | - | - | - | - | 1,000 |
| Two tempering beds and utensils | - | - | - | - | 450 |
| Three Negro houses | - | - | - | - | 300 |
| A kitchen and hen house | - | - | - | - | 100 |
| Ten acres pale fence | - | - | - | - | 214 |

3,864

Furniture, fire-wood, bricks, &c. per the account

herewith, No. 4 - - - - 1,786

Joseph M'Neel's country house

Damage done to the dwelling - - - - 195

A kitchen destroyed - - - - 350

A stable and corn house - - - - 180

A privy - - - - 65

A Negro house - - - - 40

A large double gate - - - - 60

A small ditto - - - - 25

A bake-oven torn down - - - - 20

21 acres pale fence - - - - 450

1,385

Col. S. B. Davis's country house

Damage done to the dwelling - - - - 195

The following buildings destroyed:

A shed 50 by 12 - - - - 100

A kitchen 12 by 15 - - - - 200

A Negro house 12 by 16 - - - - 60

A hen house - - - - 60

3½ acres pale fence - - - - 75

11 do post and rail ditto - - - - 140

830

Mons. De la Chenaye, the tenant on this last place, claims for cattle and poultry, consumed by the army, per account 5 - - - - 286

Madame Deslondes' country house, occupied as the general hospital.

Damage done to the dwelling - - - - 500

ditto to a store - - - - 150

A kitchen 24 by 14 feet destroyed - - - - 400

A coach house 20 by 10 - - - - 120

Five Negro houses - - - - 400

A large double gate cut down - - - - 60

28 acres post and rail fence - - - - 343

12 ditto pale do - - - - 254

2,227

Provisions, &c. per account No. 6 - - - - 532

Larunte Segur, the former proprietor of the last mentioned property, claims for a quantity of spars said to have been on the place at the time of the invasion, and to have been used for the fortification per his account No. 7 - - - - 3748

Mons. Delery's farm.

53 acres 5 rail fence destroyed - - - - 650

20 do 4 do do do - - - - 204

4 do pale do do - - - - 87

| | | | | | | |
|--|---|---|---|---|----------|-------|
| Brick-kiln fence | - | - | - | - | 22 | |
| Roof of a brick-kiln shed destroyed | - | - | - | - | 300 | |
| Two Negro cabins | - | - | - | - | 50 | |
| Damage done to the sugar house | - | - | - | - | 72 | |
| Seven garden gates | - | - | - | - | 150 | |
| Three tempering beds for brick making | - | - | - | - | 330 | |
| | | | | | | 1,865 |
| Provisions and cattle, per account No. 8 | - | - | - | - | 2,285 | |
| Madame Purnas' farm. | | | | | | |
| A brick-kiln shed 50 by 42 destroyed | - | - | - | - | 600 | |
| Five Negro cabins | - | - | - | - | 250 | |
| Three tempering beds for brickmaking | - | - | - | - | 291 | |
| Damage done to a store | - | - | - | - | 36 | |
| 75 acres post and rail fence | - | - | - | - | 915 | |
| 30 do pale do | - | - | - | - | 642 | |
| | | | | | | 2,754 |
| Provisions, &c. per account No. 9 | - | - | - | - | 1,387 | |
| Solomon Prevost's farm. | | | | | | |
| A gardiner's house destroyed | - | - | - | - | 300 | |
| 80 acres post and rail fence | - | - | - | - | 980 | |
| 26 do pale do | - | - | - | - | 506 | |
| 5 gates and fastenings | - | - | - | - | 120 | |
| | | | | | | 1,966 |
| Hay, corn, &c. per his account No. 10 | - | - | - | - | 5,411 | |
| Madame Dupre's farm. | | | | | | |
| A saw mill torn down to erect the second line of defence | - | - | - | - | 4,000 | |
| A brick-kiln shed No. 1 | - | - | - | - | 1,000 | |
| ditto 2 | - | - | - | - | 550 | |
| ditto 3 | - | - | - | - | 400 | |
| Two tempering beds for brick making | - | - | - | - | 200 | |
| Fourteen Negro houses | - | - | - | - | 1,150 | |
| Seven gates and doors | - | - | - | - | 56 | |
| Damage done to the dwelling and out-houses | - | - | - | - | 200 | |
| 97 acres post and rail fence | - | - | - | - | 1,183 | |
| 12 do pale ditto | - | - | - | - | 256 | |
| | | | | | | 8,995 |
| L. H. Guerlam's country house. | | | | | | |
| 26 acres post and rail fence | - | - | - | - | 317 | |
| 2½ pale ditto | - | - | - | - | 53 | |
| Damage done to a house | - | - | - | - | 50 | |
| | | | | | | 420 |
| Fire wood, garden stuff, &c. per account No. 11 | - | - | - | - | 1,103 50 | |
| Francis Duplessis's country house. | | | | | | |
| 10 acres post and rail fence | - | - | - | - | | 122 |
| 20 loads hay, per account No. 12 | - | - | - | - | 160 | |

J. L. B. Macarty's plantation, intersected by the third line of defence.

Fences destroyed - - - - - 96

Damages sustained per account No. 34, which the commissioners do not think come within the view of their duty to appraise.

Madame Montreael's plantation, intersected likewise by the third line of defence.

Fences destroyed - - - - - 141

Damage sustained per account No. 35, same situation as the foregoing - - - - - 8,700

Corporation of the city of New Orleans, damages to their property, occupied by a troop of horse, per account No. 13 - - - - - 654

Mons. Cervillier.

Damage done to his house - - - - - 200

On the left bank of the Mississippi above the city of New Orleans, and in the neighborhood of generals Carrol and Coffe's camps.

Mons. Ducro's plantation.

13 acres post and rail fence destroyed - - - - - 160

Damage done to the dwelling and sugar house - - - - - 100

Robert Avart's plantation.

Damage done to his dwelling house - - - - - 100

Provisions, &c. per his account No. 14 - - - - - 2,002

Madame L. Avart.

2 acres post and rail fence - - - - - 25

Hay, oats, &c. per account No. 15

Mons. Pierre Laurent.

25 acres fence - - - - - 305

Oats, hay, &c. per account No. 16 - - - - - 1,288

Widow Robert Avart's plantation.

95 acres post and rail fence - - - - - 1,160

Provisions, wood, &c. per account No. 17

Widow Rousseau.

10 acres post and rail fence - - - - - 122

Provisions, wood, &c. per account No. 18 - - - - - 941

On the right bank of the river, at and near gen. Morgan's camp.

Mons. Le Febre, gardiner.

Garden stuff, poultry, &c. per his account herewith

No. 19 - - - - - 1,657

John Caslanedo's plantation.

9 acres post and rail fence - - - - - 110

Damage done to his house used as a hospital - - - - - 25

1 1/2 acre pale fence - - - - - 36

171

Garden stuff, hay, wood, &c. per his account
herewith No. 20 - - - 2,924

Maurice Bertrand.

Provisions and hay, per account No. 21 - - 301

P. and B. Jourdan's sugar plantation destroyed by order of gen. Jackson. The following buildings entirely destroyed by fire set to them:

| | | |
|--------------------------------|-------|--------|
| A dwelling house 70 by 20 feet | - - - | 4,000 |
| A kitchen | - - - | 500 |
| A sugar house mill, &c. | - - - | 12,000 |
| A saw mill | - - - | 4,000 |
| A sugar refinery | - - - | 150 |
| A rice mill | - - - | 400 |
| A large grange | - - - | 400 |
| A large store house | - - - | 1,800 |
| A coach house | - - - | 100 |
| Two fowlhouses | - - - | 140 |
| Two pigeon houses | - - - | 200 |
| Ten double Negro houses | - - - | 1,500 |
| A small store house | - - - | 150 |
| 96 acres post and rail fence | - - - | 1,171 |
| 13 do pale do | - - - | 278 |

26,789

A crop of sugar and molasses in store when burnt,
farming utensils, &c. per act. herewith No. 22 8,978

Mons. Caselard.

A saw mill burnt - - - 6,000

Carpenter's tools, &c. contained therein, per account No. 23 - - - 2,438

Mons. Borsgervais.

A saw mill burnt - - - 4,000

26 acres fence - - - 208

4,208

Sundry articles taken or destroyed by the army,
account No. 24 - - - 1,046

Mons. Duverge, opposite the city.

A brick kiln on the margin of the river, destroyed
for the purpose of erecting a battery.

A brick kiln shed - - - 700

Roof, &c. of the kiln - - - 1,000

Two tempering beds - - - 200

Damage done to the levee and the furnace - 200

2,100

Camp Bertonniere on the Chef Menteur road

Mons. Bertonniere.

24 acres post and rail fence - - - 292

Labour to fill up the ditch on his plantations - 100

392

Francis Dreux.

10 acres post and rail fence - - - 122

Madame Leafroy Dreux.

Cattle killed on her farm, per her account here-
with No. 25 - - - 1,500

J. B. Colson.

5 acres post and rail fence - - - 61

2 cart loads hay, per account No. 26 - - 16

Executors of Dan. Clark.

20 acres post and rail fence - - - 244

P. Gueno.

4 acres post and rail fence - - - 50

Bayou St. John.

Mons. Cousin.

18 acres post and rail fence - - - 220

Madame Allard.

4 acres post and rail fence - - - 50

Cattle, &c. per her account No. 27 - - 372

Alexander Milne.

A bake house on the Bayou opposite fort St. John 500

A house on the bank of lake Ponchartrain near
the fort, destroyed by order of the military
commandant - - - 2,000

Damage done to a house occupied by a picket
guard, in advance of the fort - - 550

— — — 3,050

The New Orleans Navigation Company.

For materials taken for the use of the fort at
Bayou St. John, per account No. 28 - 438

Mons. Joublan, superintendant of the Naviga-
tion Company.

For a billiard table destroyed - - - 180

A. R. Menard.

Damage done to his house in the suburb De La
Course, used as a guard house for a troop of
cavalry - - - 1 39

P. L. Le Ray, claims compensation for a
Negro, a cart, and three mules, taken into requis-
ition, the former died in the service, and the cart
and mules were lost, per affidavit and account
No. 29 - - - 795

Michel, Deirell, & Co.

Claim for damages done to two boats whilst in
the service, per account No. 30 - - 213

Francis Leirche, a freeman of color.

Claims compensation for a negro taken into re-
quisition and killed at the lines, per affidavit
and account No. 31 - - - 600

John Mouchon, claims compensation for two mules killed in the service of the United States, per account No. 32 - - - - - 143

La Barre La Contoure, claims compensation for two mules killed at the lines, per account No. 33 146

Soyxereys & L'Assize, claim for a boat destroyed by order of major Gordon, per certificate annexed.

Le Chev. De Peytavin, claims for two mules lost in the service of the United States.

In addition to the foregoing, a third and distinct class of claims has been presented to the board, consisting of losses and damages sustained by individuals, whose property was alternately in possession of the American and British armies, and as it would be impossible for the commissioners to discriminate between the damage occasioned by either, they have subjoined hereto the respective claims, for the consideration of the authority to whom the present report may be referred, and which are as follows:

Ignace Delino alias Chalmet, the proprietor of a sugar estate adjacent to gen. Jackson's camp, between the American and British lines, the buildings of which were fired and blown up by order of the American commander, as appears by the documents annexed to the account marked A.

Mons. A. Cruzat, son-in-law of Mons. Chalmet, residing in his house, for his furniture, &c. destroyed per account B.

Mons. P. Duverge, son-in-law of Mons. Chalmet, residing in his house, for his furniture, &c. destroyed, per account C.

Mons. Bienvenue, a sugar planter, next adjoining the above, his house occupied by the enemy and materially injured by the shot from our line, per his account marked D.

Col. P. D. de la Ronde, a sugar planter adjoining Mons. Bienvenue, per account E.

P. La Coste claims for
20 acres Plant cane,
50 acres fence destroyed.

Major gen. Villere,
Claims for damages stated to have been done by the American army, per his account and vouchers marked F.

Mons. Jumonville,
For ditto ditto ditto per account G.

Messrs. Baily and Rinker, planters at the English Turn, per account and vouchers marked H. See No. 1886 Mr. Lee's scted. 2566.

Thadeus Mayhew, proprietor of a plantation and saw mill on the right bank of the river, his account and vouchers marked I.

Closed at New Orleans, this eighteenth day of November, one thousand eight hundred and fifteen.

RICHARD RELF,
PR. FOUCHER,
BENJ. MORGAN.

I.

Estimate of losses sustained on Belvidere plantation, belonging to Thadeus Mayhew, situated about six miles below the city of New Orleans on the right bank of the river, and within the American lines, in consequence of the invasion by the British.

Loss by depredations of the American troops.

| | | | | | | | |
|--|---|---|---|---|---|---|---------|
| 3 Beds and bedding | - | - | - | - | - | - | \$ 60 |
| Crockery ware destroyed | - | - | - | - | - | - | 20 |
| 6 chairs | - | - | - | - | - | - | 15 |
| 3 tables | - | - | - | - | - | - | 18 |
| 1 writing desk | - | - | - | - | - | - | 20 |
| A quantity of clothing and 2 trunks | - | - | - | - | - | - | 150 |
| ditto kitchen furniture | - | - | - | - | - | - | 20 |
| 12 spades | - | - | - | - | - | - | 30 |
| 12 hoes | - | - | - | - | - | - | 24 |
| 4 axes | - | - | - | - | - | - | 8 |
| 1 chest of carpenter's tools complete | - | - | - | - | - | - | 100 |
| 2 lanterns | - | - | - | - | - | - | 3 50 |
| 6 lamps | - | - | - | - | - | - | 5 75 |
| $\frac{1}{2}$ barrel molasses (16 galls.) | - | - | - | - | - | - | 12 |
| 12 pound of coffee | - | - | - | - | - | - | 4 50 |
| 50 do bacon | - | - | - | - | - | - | 6 25 |
| 1 pair steel yards | - | - | - | - | - | - | 8 |
| 1 jug lamp oil | - | - | - | - | - | - | 3 50 |
| 15 cord of wood | - | - | - | - | - | - | 45 |
| 1000 pickets taken from fences, and labor replacing do. | - | - | - | - | - | - | 150 |
| 6000 feet of plank burnt and destroyed by guards stationed near the mill | - | - | - | - | - | - | 240 |
| 2000 slabs | - | - | - | - | - | - | 80 |
| Damage done to the house and out-buildings | - | - | - | - | - | - | 200 |
| 2 plantation boats | - | - | - | - | - | - | 50 |
| | | | | | | | <hr/> |
| | | | | | | | 1273 50 |
| | | | | | | | <hr/> |

Loss by whom uncertain, in consequence of setting fire to the bridge, saw mill, and lumber on the morning of the 8th of January, 1815.

| | | |
|--|---|-------|
| Saw mill with all the utensils belonging thereto | - | 6,000 |
| 200,000 feet of boards at \$4 | - | 8,000 |
| 12,000 do of scantling, at \$5 | - | 600 |
| A bridge across the canal of said mill | - | 200 |

14,800

State of Louisiana, }
City of New Orleans. }

Before me, John Lynd, Esquire, notary public in and for this city, duly commissioned, personally appeared Luther Howe, overseer of the plantation of Thadeus Mayhew, of this city, merchant, near this city, who having been duly sworn, declared that to his knowledge, the several articles specified in the preceding account, were taken away or destroyed as therein declared; that he believes the value of each article is fairly rated, and that to the best of his knowledge the estimate of the value of the mill, scantling, boards, and bridge, is just and true. In faith whereof, the deponent having hereunto signed his name, I sign these presents also, and affix my seal of office, at New Orleans, 13th May, 1815.

JOHN LYND, *Not. Pub.* (L. s.)

L. HOWE.

State of Louisiana.

This day, before me, Augustus Macarty, mayor of the city of New Orleans, personally appeared Peter Long, master carpenter of said city, who deposes and declares, that he is well acquainted with the value of cypress lumber of all descriptions and has been long in the habit of dealing in the same; that shortly after the evacuation of Louisiana by the British army, cypress boards or plank, of inch and a quarter thick, (of which thickness they are always sawed in this country French measurement,) were worth 5 cents the foot and upwards, which price this deponent frequently paid for the same during the spring and summer of eighteen hundred and fifteen, and that other cypress lumber bore a price in proportion at that time, and that cypress boards are now worth six cents per foot, and are always worth double the price of northern pine boards in this market. Deponent further declares, that he was frequently at the saw mill of Thadeus Mayhew whilst in operation, knows that three hundred thousand feet of boards was sawed there annually, and that said mill might have been rented for twenty-five hundred dollars per annum, or upwards; that from the best of deponent's knowledge and belief, said saw mill could not have been rebuilt under six thousand dollars, and he, this deponent, would not have undertaken to rebuild it for that sum. During the war cypress boards were worth four cents the foot.

PETER LONG.

Sworn to and subscribed before me, at New Orleans aforesaid, this 9th day of October, 1818.

AUG. MACARTY, *Mayor.*

State of Louisiana.

Personally appeared before me, Augustus Macarty, mayor of the city of New Orleans, Wm. C. Withers, who deposes and declares, that cypress boards, of inch and a quarter thick, the usual thickness they are sawed in this place, French measurement, were worth from four to four and a half cents the foot during the late war; that he was at that time proprietor of a steam saw mill, and so continues to be; that he supplied government with very large quantities at those prices, never less than four cents the foot; that immediately after the evacuation of this country by the British, lumber was in great demand, and the price was from five to five and an half cents the foot by the quantity, as this deponent's bills, paid by the agents of government, will abundantly show.

W. C. WITHERS.

Sworn to and subscribed before me, at New Orleans, this 27th day of October, 1818.

AUG. MACARTY, *Mayor.*

Be it known, pursuant to two laws of the United States, the one entitled "An act to authorize the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed on the 9th day of April, in the year 1816, and the other, entitled "An act to amend the act authorizing the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed on the 3d day of March, 1817, that I, Richard Bland Lee, duly appointed by the President of the United States, by and with the advice and consent of the Senate, Commissioner under the first recited act, reposing special confidence in your honesty, ability, and diligence, have constituted and appointed, and, by these presents, do constitute and appoint you, Edwin Lorrain & John M'Donogh, gentlemen, commissioners (any one or more of you to act) to take the testimony of such witnesses as may be brought before you or any of you, either by your own summons or otherwise, an oath or affirmation in due form, being first administered by either of you, relative to a certain claim of Thadeus Mayhew, against the United States; a particular description of which is contained in the annexed schedule, conforming yourselves in all respects to the rules and directions hereto attached. And all testimony so taken by you, you shall certify under your hands or hand, (as the case may be,) and having

duly executed the duties required by this commission, you shall return the same, under a sealed cover, by mail, with a report of all your proceedings thereon, to this office, on or before the first day of December next.

Before you proceed to act, you will take "an oath before some officer authorized by law to administer the same, *'that you will faithfully and impartially execute the duties assigned to you by this commission;'*" a certificate of which, from the officer administering the same, you will transmit with the report of your proceedings.

In testimony of the premises, I, the said Richard Bland Lee, hath, to these presents, at my office in the city of Washington, affixed my signature, this 26th day of March, in the year 1817.

RICHARD BLAND LEE.

Rules and directions to the Commissioners.

1. You will summon before you and examine the following witnesses on the part of the United States, namely:—
and such other persons as you may believe can testify as to the subject claimed, favorably to the interests of the United States, generally as to their knowledge of the matter in controversy, and as to the character of the witnesses produced by the claimant, if you shall deem this precaution necessary.

2. You shall examine the witnesses produced by the claimant; but no testimony must be taken but in conformity to the rules prescribed by the notice from the office of the 3d of June, 1816, referring for your direction to the class of cases to which the particular claim before you belongs. A copy of which notice is therefore herewith inclosed.

3. Every witness examined must, in the first place, swear or affirm, that he has no interest directly, or indirectly, in the claim.

4. In your report, if you have doubts concerning the credibility of the witnesses, derived from their general character, or other circumstances, you must state the grounds of such doubts.

SCEDULE.

Thadeus Mayhew claims payment for damage done by destruction of his property by the British army, during their invasion of Louisiana in the years 1814 and 1815, in consequence of his houses being used as military depots, under the military authority of the United States, and in consequence of various articles having been taken for the use and subsistence of the American troops, \$14,600.

This claim falls under the fifth and sixth classes of cases.

R. B. LEE.

Pursuant to a commission to this effect, to us, the undersigned commissioners, directed by Richard Bland Lee, Esquire, from the office of claims, for property lost, captured, or destroyed, during the late war, we have caused to be examined the claim of Thadeus Mayhew, to payment of fourteen thousand six hundred dollars, for damage done by destruction of his property by the British army during their invasion of Louisiana in 1814 and 1815, in consequence of his houses being used as military deposits under the military authority of the United States, and for property taken for the use and subsistence of the American army.

1st. Before proceeding to act, we have appeared before the honorable Dominick A. Hall, Judge of the District Court of the United States, for the Louisiana District, and being severally sworn, have taken on our respective parts an oath, faithfully and impartially to execute the duties assigned to us by this commission.

EDWIN LORRAIN,
JOHN M'DONOGH.

Sworn to and subscribed at New Orleans,
this 1st day of May, 1817.

Before me

DOM. A. HALL,
District Judge U. S. Louisiana District.

2d. Appeared before us the claimant, who being sworn by an oath in due form, first administered by Edwin Lorrain, declares that he hath received nothing on account of this claim from any officer, agent, or department of the government of the United States; that the claimant has received no other certificates than those now produced, which were formally transmitted, substantially as they are, to Samuel H. Harper, Esq. to be presented at the Commissioner's office, and also one signed by Benjamin Morgan, Richard Relf, and Pierre Fouche, forwarded by them to the War Department, all given in support of this same claim.

THADS. MAYHEW.

Done before us,

Edwin Lorrain,

John M'Donogh,

3d. Appeared David B. Morgan, a witness produced on the part of the claimant, who being sworn by an oath in due form, first administered by Edwin Lorrain, deposeth and saith, that during the

invasion of Louisiana by the British, he was brigadier general of the Louisiana militia, that on the morning of the 8th day of January, 1815, and sometime previous thereto, the saw mill, dwelling house, and out buildings, belonging to the claimant, situated about six miles below the city of New Orleans, on his plantation called the Belvidere, on the right bank of the Mississippi, and one mile or thereabouts below the main entrenchment of a division of the American army, commanded by the deponent as brigadier general as aforesaid, acting under the orders of major general Jackson, and in the vicinity of several batteries erected and commanded by commodore Patterson, of the United States navy, was occupied by a detachment from the deponent's command and by his orders as a military post, as a deposit for military stores, and as barracks for the military forces of the United States, that huts were erected there by said detachment with the lumber belonging to the claimant and taken from said saw mill, which lumber, as well as other combustibles on the plantation, was freely used as fuel for the army; that the said saw mill belonging to the claimant, together with the wooden bridge which crossed the canal on which the saw mill stood, as also a large quantity of lumber, consisting of cypress boards, plank, timber, and slabs, were on the said 8th day of January, and during the retreat of the enemy, set on fire and thereby totally destroyed; that to the best of the deponent's knowledge and belief, the said property was so set on fire and destroyed by the enemy; and in consequence of the said saw mill having been occupied by the American army in the manner aforesaid; and to prevent the same from being so again occupied, or the lumber from being made use of for platforms of batteries, fortifications, huts, or other military uses; that during the stay of the deponent's forces on the claimant's plantation, every thing was taken which the place could afford, and which was thought necessary for the sustenance or comfort of the American army; that he knows the claimant's loss to have been a very serious one, and from all the circumstances in his knowledge, supposes that it might have gone to the amount charged by the claimant.

DAVID B. MORGAN.

L. HOWE.

The deponent being interrogated by the commissioners, says, that he once before gave a certificate to the claimant, similar in its purport to the present, and taken before the mayor of New Orleans, on the 5th day of November, 1816, and that he hath never given any other certificate on the subject.

DAVID B. MORGAN

Done before us,

*Edwin Lorrain,
John M'Donogh.*

4thly. Appeared before us, commodore Daniel T. Patterson, of the United States' navy, a witness produced as well on the part of the claimant, as by a summons from these commissioners on the part of the United States, who certifies in the manner and form following, to wit:

I do hereby certify, that the dwelling house and out houses of Thadeus Mayhew, were occupied as set forth in the preceding deposition of gen. Morgan, as the advanced post of the United States' forces on the right bank of the Mississippi, during the invasion of Louisiana, by the British, in 1814 and 1815; that the saw mill mentioned in general Morgan's deposition, and the bridge of the canal, and all the lumber and scantling on the place, were burnt on the 8th of January, 1815, as the British forces retreated; and as the enemy tore up and destroyed by fire the platforms of my batteries in that neighborhood, I have every reason to suppose that he also burned the said saw mill and lumber, for the reasons so as aforesaid stated by general Morgan. I declare further, that I have never granted any certificate on this subject, except a former one given on the 30th of November, 1816, similar in its purport and object to the present, and in support precisely, of this same claim, which said certificate, from the information of the claimant, has been transmitted to Samuel H. Harper, Esquire, for the purpose of presentation to the government.

DANL. T. PATTERSON,

Captain U. S. Navy, commanding

New Orleans station.

Done before us,

Edwin Lorrain,

John M'Donogh.

5th. Appeared before us, Luther Howe, who being sworn by an oath in due form, first administered by Edwin Lorrain, deposeth and saith, that he hath no interest, directly or indirectly in the claim now before these commissioners; that during the invasion of Louisiana by the British in 1814 and 1815, and several years previous thereto, he was overseer of the plantation called the Belvidere, as also of the saw mill belonging thereto; that during the said invasion, the said saw mill, the dwelling house, and out buildings were occupied by the American troops, by the orders of their commanding officer general David B. Morgan, as a military post, as deposits for military stores, and as barrcks for the military forces of the United States; that on the 8th day of January, at the time of the enemy's retreat, the saw mill aforesaid, as also the bridge which crossed the canal,

together with a large quantity of lumber, consisting of cypress boards, plank, timber, and slabs, remaining on hand from two sawing seasons, were set on fire and thereby totally destroyed, and to the best of deponent's knowledge and belief, the property aforesaid was set on fire by the British troops, for the causes and motives mentioned in the foregoing deposition of general Morgan; and the defendant further states, that during the occupation as aforesaid of the said place, the articles hereinafter mentioned belonging to the claimant, were within this deponent's knowledge, he being in service in that quarter, taken for the use and subsistence of the American army, and thereby lost, consumed, or destroyed; that the two subjoined statements of damage, the one amounting to twelve hundred and ninety-eight dollars fifty cents, and the other to fourteen thousand six hundred dollars, is just and true, both in respect to the enumeration of articles and the estimation thereof; that the plank was sawed and measured by the deponent.

Estimate of loss occasioned by the Americans.

| | |
|---|----------|
| 3 beds and bedding \$60, crockery ware \$20, 6 chairs \$15, | |
| 3 tables \$18, 1 writing desk \$20, 3 trunks clothing \$150 | 283 |
| Kitchen furniture \$20. 12 spades, 12 hoes, and 4 axes \$62, | |
| 1 chest of carpenter's tools \$100, lanterns and lamps | |
| \$9 25, - - - - - | 191 25 |
| ½ barrel of molasses 16 gills. at 75 cents \$12, 12 lbs. coffee | |
| at 37½ \$4 50, 50 lbs. bacon at 12½ \$6 25, 1 pair of steel | |
| yards \$8, lamp oil \$3 50 - - - | 34 25 |
| 15 cords of wood at \$3 \$45, 1000 pickets taken from fences | |
| at 10 cts. \$100, expense of replacing ditto \$75, 6000 | |
| feet of plank burnt and destroyed by guards stationed | |
| near the mill, estimated at 4 cents per foot \$240, 2000 | |
| slabs \$80, - - - - - | 540 |
| Damage done the house and out buidings \$200, 2 plantation | |
| boats \$50 - - - - - | 250 |
| | <hr/> |
| | 1,298 50 |

Estimate of loss occasioned by the enemy.

A saw mill complete with all the materials and utensils belonging thereto, estimated at what it cost to rebuild the same, six thousand dollars (including bridge,) 200,000 feet of cypress boards at \$4, eight thousand dollars, 12,000 feet of scantling at \$5, six hundred dollars, making a sum total of fourteen thousand six hundred dollars, which, added to the former sum of twelve hundred and ninety-eight dollars and fifty cents, makes the damage suffered, amount to 15,898 dollars 50 cents.

L. HOWE.

Done before us

Edwin Lorrain,
John M. Donogh.

6th. Appeared before us Samuel Packwood, who being sworn by an oath in due form, first administered by Edwin Lorrain, deposeth and saith, that he hath no interest, directly or indirectly, in the claim now before these commissioners; that he has been personally acquainted with Luther Howe, who has signed the foregoing deposition, upwards of four years last past, and believes him to be a man of veracity, and otherwise of good moral character, and that his deposition aforesaid, is entitled to full faith and credit; and the deponent further saith, that within his knowledge, the saw mill, lumber, and out buildings, belonging to Thadeus Mayhew, were destroyed on his plantation called the Belvidere, by fire and otherwise, during the invasion of Louisiana by the British in 1814 and 1815.

SAMUEL PACKWOOD.

Done before us,

Edwin Lorrain,

John M. Donogh.

7th. Appeared before William Flood, who being sworn by an oath in due form, first administered by Edwin Lorrain, deposeth and saith, that he hath no interest, directly or indirectly in the claim now before these commissioners; that he has known Luther Howe, one of the witnesses above taken, for several years, and believes him to be a man of strict integrity, and entitled to full confidence and credit; and further, that the deponent believes that the affidavit to which the said Luther Howe's name is subscribed, is true and just.

WILLIAM FLOOD.

Done before us,

Edwin Lorrain,

John M. Donogh.

8th. At the close of the testimony in this case, the claimant requested us to note a mistake committed by the commissioner in the schedule annexed to his commission, from which it appears that the whole demand of the claimant in the premises, amounts to fourteen thousand six hundred dollars, whereas his demand alone for losses occasioned by the *enemy* is for that sum, and he claims afterwards,

over and above that sum, one thousand two hundred and ninety-eight dollars 50 cents, for losses occasioned by the *American army*, as appearing in the preceding testimony, and the claimant took this opportunity of declaring and protesting before us, that he had yet a further claim to advance against the United States on the present subject, which he wished to be understood as not comprehended in the present claim or concluded by its determination; that the claim to which he refers is this, to wit: that he is entitled to one year's revenue of his saw mill, inasmuch as its destruction took place at a time when it was impossible for it to be rebuilt soon enough to meet the operations of the ensuing season. But the previous opinion of the commissioner or Secretary of War against such a claim, advanced as it would be, on the authority of a grant made by Congress to Jacques Villen, will be deemed conclusive by this claimant.

THADS. MAYHEW.

Done before us,

Edwin Lorrain,
John M'Donogh.

We, the undersigned commissioners, have carefully examined the witnesses produced before us in the foregoing claim of Thadeus Mayhew, and now return our commission, together with our proceedings thereon, which we hereby certify under our hands, at New Orleans, this 23d day of May, in the year 1817.

EDWIN LORRAIN,

JOHN M'DONOGH,

Commissioners.

It has been impossible for me to attend the examination of the witnesses in support of the above claim of Mr. Mayhew, but from the ample testimony produced, I am satisfied no change would have resulted from cross examination; it appears to be very clear.

J. LINRANFF.

Treasury Department,

3d Auditor's Office, Nov. 20, 1817.

SIR,

I have received your letter of the 19th inst. requesting to be informed whether any payment has been made through the Depart-

ment of War to Thadeus Mayhew, for the destruction of his property below New Orleans, on the 8th of January, 1815, by the enemy during the late war. In reply to which I have to state, that no provision having been made by law in this case, no payment has been made at this Department.

I am Sir,

With great respect,

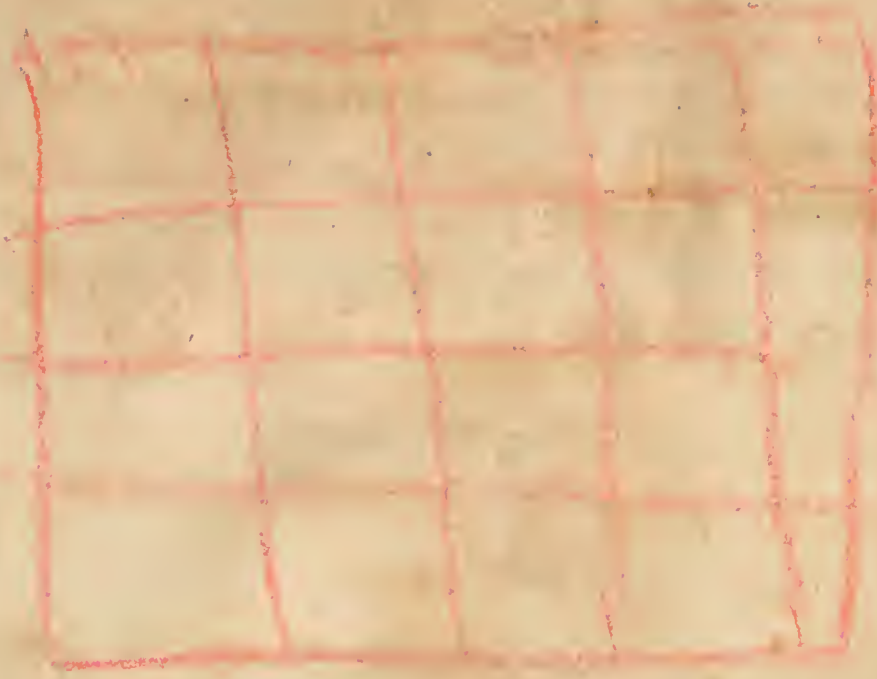
Your most obedient servant,

PETER HAGNER, *Aud.*

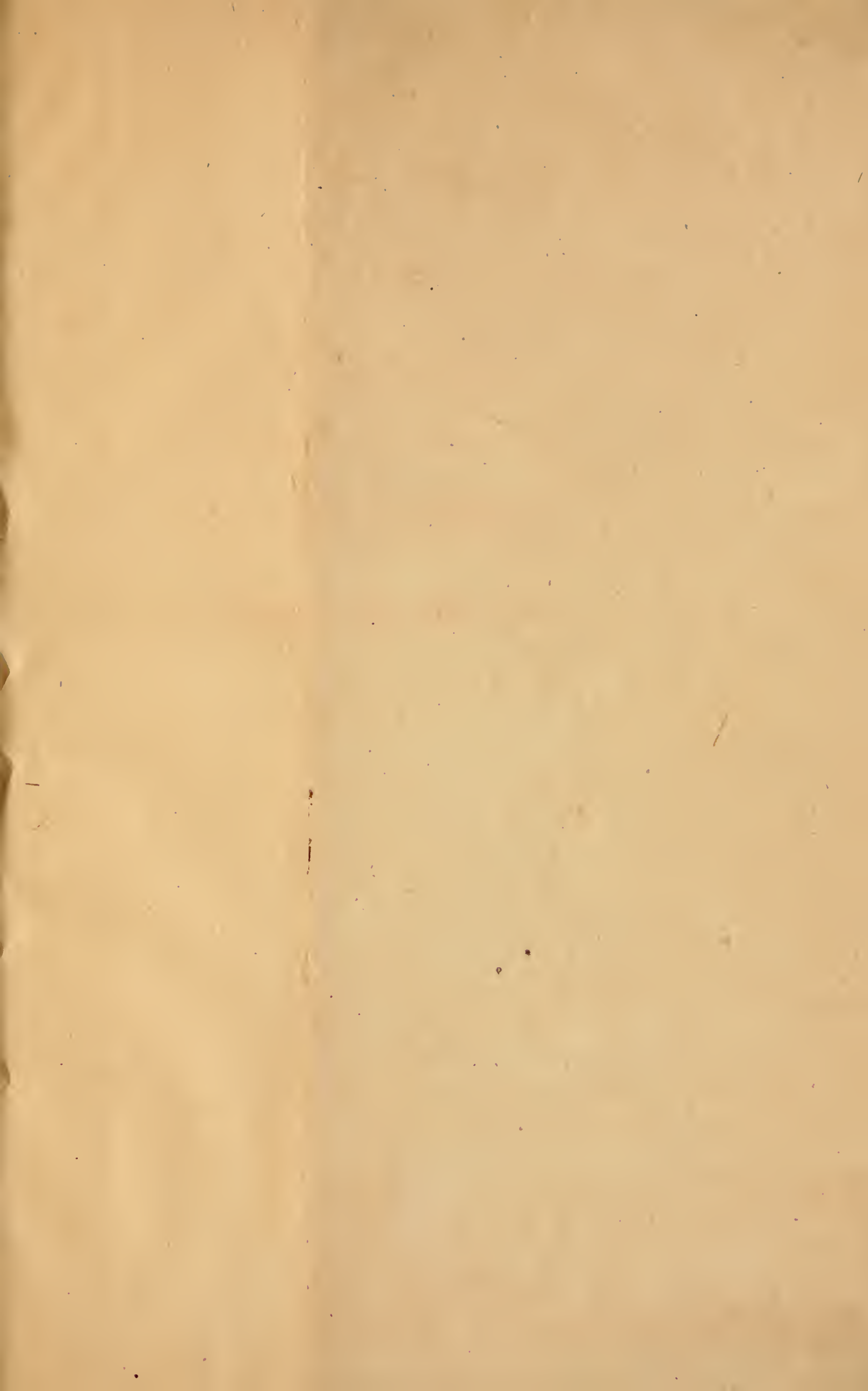
Richard B. Lee, Esqr.

Commissioner of Claims.

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